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To: _____

NOV 13 2000

From: _____

GROUP 3700

M. Arthur Auslander, 18,376

Re: _____

November 13, 2000

Date: _____

Serial No. 09/204,073 Filed April 19, 1999

Applicant : Suk-song Oh

For Endodontic Gutta-Percha Point
With Working Length Marks

No. of pages including cover sheet: 13

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Applicant : Suk-song Oh NOV 13 2000
Serial No. : 09/204,073
Filed : April 19, 1999 GROUP 3700
For : Endodontic Gutta-Percha Point
With Working Length Marks
Examiner John J. Wilson
Art Unit 3732
Docket No. 3598-6

Assistant Commissioner for Patents

Washington, D.C. 20231

Sir:

Enclosed are the Notice of Abandonment, amendment, request for one month extension, certificate of mailing, fee transmittal form and post card stamped by the Patent and Trademark Office Mail Room on June 29, 2000 for the receipt of the afore-mentioned papers. The amendment was due on June 13, 2000, responsive to the Office action of March 13, 2000.

The request for extension and authorization to pay the required fee and the enclosed papers should show the timely filing of the responsive amendment for this case.

It is respectfully requested that the notice to abandon be canceled and the within application be put in condition for examination of the proffered amendment.

If there are any fees, they should be taken from applicant's attorney's deposit account No. 01-2940.

Any questions can be directed to applicant's attorney at
212-594-6900.

Dated: November 13, 2000

Respectfully Submitted,



M. Arthur Auslander
Auslander & Thomas
Attorneys for Applicant
505 Eighth Avenue
New York, NY 10018
212-594-6900

Received U.S. Patent and Trademark Office -
Amendment, extension request for one month and 2 days
authorization to take fee from deposit account No.
01-2940 - Serial No. 09/294,073, Suk-song Oh,
Gutta-Percha



Notice of Abandonment

| | |
|-------------------------------|------------------------|
| Application No. 09/294,073 | Applicant(s) Oh |
| Examiner John J. Wilson | Group Art Unit 3732 |



This application is abandoned in view of:

applicant's failure to timely file a proper response to the Office letter mailed on Mar 13, 2000.

A response (with a Certificate of Mailing or Transmission of _____) was received on _____, which is after the expiration of the period for response (including a total extension of time of _____ month(s)) which expired on _____.

A proposed response was received on _____, but it does not constitute a proper response to the final rejection.
(A proper response to a final rejection consists only of: a timely filed amendment which places the application in condition for allowance; a Notice of Appeal; or the filing of a continuing application under 37 CFR 1.62 (FWC)).

No response has been received.

applicant's failure to timely pay the required issue fee within the statutory period of three months from the mailing date of the Notice of Allowance.

The issue fee (with a Certificate of Mailing or Transmission of _____) was received on _____.

The submitted issue fee of \$ _____ is insufficient. The issue fee required by 37 CFR 1.18 is \$ _____.

The issue fee has not been received.

applicant's failure to timely file new formal drawings as required in the Notice of Allowability.

Proposed new formal drawings (with a Certificate of Mailing or Transmission of _____) were received on _____.

The proposed new formal drawings filed _____ are not acceptable.

No proposed new formal drawings have been received.

the express abandonment under 37 CFR 1.62(g) in favor of the FWC application filed on _____.

the letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.

the letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.

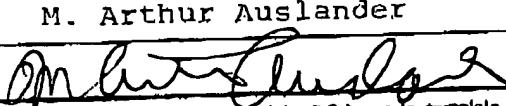
the decision by the Board of Patent Appeals and Interferences rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.

the reason(s) below:

John J. Wilson
Primary Examiner

| | | | |
|--|-------------|--|--|
| FEE TRANSMITTAL | | Complete If Known | |
| <small>Patent fees are subject to annual revision on October 1. These are the fees effective October 1, 1997. Small Entity payments must be supported by a small entity statement. Otherwise large entity fees must be paid. See Forms PTO/SB/09-12. See 37 C.F.R. §§ 1.27 and 1.28.</small> | | Application Number: 09/294,073 Filing Date: April 19, 1999 First Named Inventor: Suk-song Oh Examiner Name: John J. Wilson Group / Art Unit: 3732 Attorney Docket No.: 3598-6 | |
| TOTAL AMOUNT OF PAYMENT | (\$) | 55.00 | |

| METHOD OF PAYMENT (check one) | | FEE CALCULATION (continued) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|--|---------------|--|---------------|--|--------------|-----------------|----------|---------------|---------------|---------------|---------------|-----|-----|-----|----|-------------------------------------|--|-----|----|-----|----|--|--|-----|-----|-----|-----|---------------------------|--|-----|-------|-----|-------|--|--|-----|------|-----|------|--|--|-----|--------|-----|--------|---|--|-----|-----|-----|----|--|--|-----|-----|-----|-----|---|--|-----|-----|-----|-----|--|--|-----|-------|-----|-----|---|--|-----|-------|-----|-------|--|--|-----|-----|-----|-----|------------------|--|-----|-----|-----|-----|--|--|-----|-----|-----|-----|--------------------------|--|-----|-------|-----|-------|---|--|-----|-----|-----|----|----------------------------------|--|-----|-------|-----|-----|------------------------------------|--|-----|-------|-----|-----|--------------------------------|--|-----|-----|-----|-----|------------------|--|-----|-----|-----|-----|-----------------|--|-----|-----|-----|-----|-------------------------------|--|-----|----|-----|----|---|--|-----|-----|-----|-----|---|--|-----|----|-----|----|--|--|-----|-----|-----|-----|---|--|-----|-----|-----|-----|--|--|---------------------------|--|--|--|---------------------------|--|--|--|---------------------------------|--|---------------------------------------|--|----------------------------------|--|--|--|
| 1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to: Deposit Account Number: 01-2940 Deposit Account Name: Auslander & Thomas <input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 C.F.R. § 1.18 or the Mailing of the Notice of Allowance | | 3. ADDITIONAL FEES <table border="1"> <thead> <tr> <th>Large Entity</th> <th>Small Entity</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> <tr> <th>Fee Code (\$)</th> <th>Fee Code (\$)</th> <th>Fee Code (\$)</th> <th>Fee Code (\$)</th> </tr> </thead> <tbody> <tr> <td>105</td> <td>130</td> <td>205</td> <td>85</td> <td>Surcharge - late filing fee or oath</td> <td></td> </tr> <tr> <td>127</td> <td>50</td> <td>227</td> <td>25</td> <td>Surcharge - late provisional filing fee or cover sheet</td> <td></td> </tr> <tr> <td>139</td> <td>130</td> <td>139</td> <td>130</td> <td>Non-English specification</td> <td></td> </tr> <tr> <td>147</td> <td>2,520</td> <td>147</td> <td>2,520</td> <td>For filing a request for reexamination</td> <td></td> </tr> <tr> <td>112</td> <td>920*</td> <td>112</td> <td>920*</td> <td>Requesting publication of SIR prior to Examiner action</td> <td></td> </tr> <tr> <td>113</td> <td>1,840*</td> <td>113</td> <td>1,840*</td> <td>Requesting publication of SIR after Examiner action</td> <td></td> </tr> <tr> <td>115</td> <td>110</td> <td>215</td> <td>55</td> <td>Extension for reply within first month</td> <td></td> </tr> <tr> <td>116</td> <td>400</td> <td>216</td> <td>200</td> <td>Extension for reply within second month</td> <td></td> </tr> <tr> <td>117</td> <td>850</td> <td>217</td> <td>475</td> <td>Extension for reply within third month</td> <td></td> </tr> <tr> <td>118</td> <td>1,510</td> <td>218</td> <td>755</td> <td>Extension for reply within fourth month</td> <td></td> </tr> <tr> <td>128</td> <td>2,060</td> <td>228</td> <td>1,030</td> <td>Extension for reply within fifth month</td> <td></td> </tr> <tr> <td>119</td> <td>310</td> <td>219</td> <td>155</td> <td>Notice of Appeal</td> <td></td> </tr> <tr> <td>120</td> <td>310</td> <td>220</td> <td>155</td> <td>Filing a brief in support of an appeal</td> <td></td> </tr> <tr> <td>121</td> <td>270</td> <td>221</td> <td>135</td> <td>Request for oral hearing</td> <td></td> </tr> <tr> <td>138</td> <td>1,510</td> <td>138</td> <td>1,510</td> <td>Petition to institute a public use proceeding</td> <td></td> </tr> <tr> <td>140</td> <td>110</td> <td>240</td> <td>55</td> <td>Petition to revive - unavoidable</td> <td></td> </tr> <tr> <td>141</td> <td>1,320</td> <td>241</td> <td>880</td> <td>Petition to revive - unintentional</td> <td></td> </tr> <tr> <td>142</td> <td>1,320</td> <td>242</td> <td>880</td> <td>Utility issue fee (or release)</td> <td></td> </tr> <tr> <td>143</td> <td>450</td> <td>243</td> <td>225</td> <td>Design issue fee</td> <td></td> </tr> <tr> <td>144</td> <td>670</td> <td>244</td> <td>335</td> <td>Plant issue fee</td> <td></td> </tr> <tr> <td>122</td> <td>130</td> <td>122</td> <td>130</td> <td>Petitions to the Commissioner</td> <td></td> </tr> <tr> <td>123</td> <td>50</td> <td>123</td> <td>50</td> <td>Petitions related to provisional applications</td> <td></td> </tr> <tr> <td>128</td> <td>240</td> <td>128</td> <td>240</td> <td>Submission of Information Disclosure Stmt</td> <td></td> </tr> <tr> <td>581</td> <td>40</td> <td>581</td> <td>40</td> <td>Recording each patent assignment per property (times number of properties)</td> <td></td> </tr> <tr> <td>148</td> <td>780</td> <td>246</td> <td>385</td> <td>Filing a submission after final rejection (37 CFR 1.129(a))</td> <td></td> </tr> <tr> <td>149</td> <td>780</td> <td>249</td> <td>395</td> <td>For each additional invention to be examined (37 CFR 1.129(b))</td> <td></td> </tr> <tr> <td colspan="2">Other fee (specify) _____</td> <td colspan="2"></td> </tr> <tr> <td colspan="2">Other fee (specify) _____</td> <td colspan="2"></td> </tr> <tr> <td colspan="2">SUBTOTAL (1) (\$)</td> <td colspan="2">SUBTOTAL (3) (\$) 55.00</td> </tr> <tr> <td colspan="4"> Reduced by Basic Filing Fee Paid </td> </tr> </tbody></table> | | Large Entity | Small Entity | Fee Description | Fee Paid | Fee Code (\$) | Fee Code (\$) | Fee Code (\$) | Fee Code (\$) | 105 | 130 | 205 | 85 | Surcharge - late filing fee or oath | | 127 | 50 | 227 | 25 | Surcharge - late provisional filing fee or cover sheet | | 139 | 130 | 139 | 130 | Non-English specification | | 147 | 2,520 | 147 | 2,520 | For filing a request for reexamination | | 112 | 920* | 112 | 920* | Requesting publication of SIR prior to Examiner action | | 113 | 1,840* | 113 | 1,840* | Requesting publication of SIR after Examiner action | | 115 | 110 | 215 | 55 | Extension for reply within first month | | 116 | 400 | 216 | 200 | Extension for reply within second month | | 117 | 850 | 217 | 475 | Extension for reply within third month | | 118 | 1,510 | 218 | 755 | Extension for reply within fourth month | | 128 | 2,060 | 228 | 1,030 | Extension for reply within fifth month | | 119 | 310 | 219 | 155 | Notice of Appeal | | 120 | 310 | 220 | 155 | Filing a brief in support of an appeal | | 121 | 270 | 221 | 135 | Request for oral hearing | | 138 | 1,510 | 138 | 1,510 | Petition to institute a public use proceeding | | 140 | 110 | 240 | 55 | Petition to revive - unavoidable | | 141 | 1,320 | 241 | 880 | Petition to revive - unintentional | | 142 | 1,320 | 242 | 880 | Utility issue fee (or release) | | 143 | 450 | 243 | 225 | Design issue fee | | 144 | 670 | 244 | 335 | Plant issue fee | | 122 | 130 | 122 | 130 | Petitions to the Commissioner | | 123 | 50 | 123 | 50 | Petitions related to provisional applications | | 128 | 240 | 128 | 240 | Submission of Information Disclosure Stmt | | 581 | 40 | 581 | 40 | Recording each patent assignment per property (times number of properties) | | 148 | 780 | 246 | 385 | Filing a submission after final rejection (37 CFR 1.129(a)) | | 149 | 780 | 249 | 395 | For each additional invention to be examined (37 CFR 1.129(b)) | | Other fee (specify) _____ | | | | Other fee (specify) _____ | | | | SUBTOTAL (1) (\$) | | SUBTOTAL (3) (\$) 55.00 | | Reduced by Basic Filing Fee Paid | | | |
| Large Entity | Small Entity | Fee Description | Fee Paid | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Fee Code (\$) | Fee Code (\$) | Fee Code (\$) | Fee Code (\$) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 105 | 130 | 205 | 85 | Surcharge - late filing fee or oath | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 127 | 50 | 227 | 25 | Surcharge - late provisional filing fee or cover sheet | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 139 | 130 | 139 | 130 | Non-English specification | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 147 | 2,520 | 147 | 2,520 | For filing a request for reexamination | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 112 | 920* | 112 | 920* | Requesting publication of SIR prior to Examiner action | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 113 | 1,840* | 113 | 1,840* | Requesting publication of SIR after Examiner action | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 115 | 110 | 215 | 55 | Extension for reply within first month | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 116 | 400 | 216 | 200 | Extension for reply within second month | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 117 | 850 | 217 | 475 | Extension for reply within third month | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 118 | 1,510 | 218 | 755 | Extension for reply within fourth month | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 128 | 2,060 | 228 | 1,030 | Extension for reply within fifth month | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 119 | 310 | 219 | 155 | Notice of Appeal | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 120 | 310 | 220 | 155 | Filing a brief in support of an appeal | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 121 | 270 | 221 | 135 | Request for oral hearing | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 138 | 1,510 | 138 | 1,510 | Petition to institute a public use proceeding | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 140 | 110 | 240 | 55 | Petition to revive - unavoidable | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 141 | 1,320 | 241 | 880 | Petition to revive - unintentional | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 142 | 1,320 | 242 | 880 | Utility issue fee (or release) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 143 | 450 | 243 | 225 | Design issue fee | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 144 | 670 | 244 | 335 | Plant issue fee | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 122 | 130 | 122 | 130 | Petitions to the Commissioner | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 123 | 50 | 123 | 50 | Petitions related to provisional applications | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 128 | 240 | 128 | 240 | Submission of Information Disclosure Stmt | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 581 | 40 | 581 | 40 | Recording each patent assignment per property (times number of properties) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 148 | 780 | 246 | 385 | Filing a submission after final rejection (37 CFR 1.129(a)) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 149 | 780 | 249 | 395 | For each additional invention to be examined (37 CFR 1.129(b)) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Other fee (specify) _____ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Other fee (specify) _____ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| SUBTOTAL (1) (\$) | | SUBTOTAL (3) (\$) 55.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Reduced by Basic Filing Fee Paid | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

| | | | |
|----------------------|---|--------------------------|---------|
| SUBMITTED BY | | Complete (if applicable) | |
| Type or Printed Name | M. Arthur Auslander | | |
| Signature |  | Date | 6/27/00 |
| | | Reg. Number | 18,376 |
| | | Deposit Account User ID | |

Burden Hour Statement This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Suk-song Oh
Serial No. : 09/204,073
Filed : April 19, 1999
For : Endodontic Gutta-Percha Point
With Working Length Marks

Examiner John J. Wilson
Art Unit 3732
Docket No. 3598-6

Assistant Commissioner for Patents

Washington, D.C. 20231

Sir:

AMENDMENT

Responsive to the Office action dated March 13, 2000, a request for a one-month extension for which is being simultaneously submitted, please amend the within application as follows:

IN THE CLAIMS

Cancel claim 1 without prejudice and substitute therefor new claim 7 as follows:

7. A gutta-percha point used as a root canal plugging material in an endodontic treatment, said plugging point including a plurality of integral working length marks along an upper portion of said point, said marks spaced apart from each other.

Cancel claims 4 and 5 without prejudice and substitute therefor new claims 8, 9, 10 as follows:

2. The gutta-percha point according to claim 1 wherein said working length marks include distinguishable colors.

3. The gutta-percha point according to claim 2 wherein said working length marks are along a circumferential surface of said point.

4. The gutta-percha point according to claim 1, wherein said working length marks are painted.

Cancel claim 6 without prejudice and substitute therefor new claim 11 as follows.

5. The gutta-percha point according to claim 1 wherein said working length marks start at a position starting from an apex of said point by 18 mm and ending at a position spaced apart from said apex by 22 mm.

Cancel claim 2 without prejudice and substitute therefor new claim 12 as follows.

6. The gutta-percha point according to claim 1, wherein said working length marks are embossed.

Cancel claim 3 without prejudice and substitute therefor new claim 13 as follows:

7. The gutta-percha point according to claim 1, wherein said working length marks are engraved.

REMARKS

The present invention is an endodontic gutta-percha point with working length marks, wherein the marked gutta percha point

itself is used as the plugging material, as distinguished from just the use of gutta-percha for plugging.

THERE IS NO PRIOR ART OF A GUTTA-PERCHA POINT WITH WORK LENGTH MARKS USED AS A PLUGGING MATERIAL

The art of using gutta-percha points for plugging is well known, particularly as set forth in Figs. 1 through 3g.

Figs. 1 through 3g describe the difficult and laborious practices of the prior art. The cited art is cumulative of the complex procedures of the root canal techniques prior to the present invention.

Siegel of 1928 provides an over 70 year history of gutta-percha points, which have not provided a marked gutta-percha point plugging material of the present invention.

Original claims 1-6, with their dependencies and multiple dependencies, have now been canceled and new claims 7-13 have been substitute therefor, maintaining their substance in understandable dependencies and better defining the marked gutta-percha point with working length marks, used as a root canal plugging material in endodontic treatment.

New claim 7 now clearly claims the new gutta-percha point as intrinsically including a selection of work length marks in a gutta-percha point, which in itself, serves as the plugging material.

The prior art is replete with art on the use of gutta percha

for plugging and gutta-percha points, and non gutta-percha points. The prior art is demonstrative in showing the lack of obviousness in the prior art, where separate files and measuring devices were laboriously used recently, in order to measure and then effectuate the root canal plugging. Siegel's 1928 application for a gutta-percha point makes clear that the structure of gutta-percha plugging material point with working length marks of the present invention today is new and unobvious.

Cohan from 1976, while dealing with color coding in dental instruments, neither shows nor suggests the single work length marking plugging gutta-percha point for endodontic treatment. Malmin's plugs, particularly as shown in Figs. 9 through 11, are demonstrative of 34 years of unobviousness in 1972, after the Siegel plug without approaching the gutta-percha work length marked plug point of the present invention.

The cited art teaches away from a nexus for combining Harrison III, a dental cleaning device with Malmin. The amendment to claims 1-6, is set forth in their proper dependencies now in new claims 7-13.

New claim 11 does not claim any novelty in the reality selected dimensions of 18 to 24 mm, but serves as a limitation with regard to new claim 7, upon which it is dependent.

The marking system of Johnson neither shows nor suggests a nexus for structurally combining in gutta-percha point used a

root canal plugging material.

Claim 12, which claims embossing, is dependent upon new claim 7, is distinct over the prior art.

Claim 9, which is limited on a circumferential working length, as shown in Cohan, is now dependent upon new claim 7. Cohan neither shows nor suggests a gutta-percha point used as a root canal plugging material, nor is there is any nexus shown for the connecting of Cohan, a gutta-percha point used as a root canal plugging material in an endodontic treatment. This further holds true with regard to amended claims 9 and 10, which are dependent upon allowable claim 7 and which include limitations of circumferential markings and paint. No novelty, per se, is claimed in the use of circumferential markings, nor paint.

Claims 7-13, as now amended, and put in proper dependent form, are now allowable with claims 8-13, at least allowable as dependent upon independent claim 7, as now amended.

The difficulties in terms of language translation, have now been thoroughly overcome by the claims as amended and also considered in terms of the Remarks herein.

In view of the amendment to the claims, the within application is deemed in condition for allowance and prompt allowance is therefore respectfully requested.

If there are any charges with regard to this amendment, they should be taken from applicant's attorney's deposit account No.

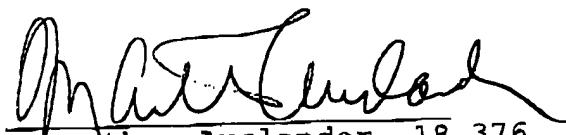
01-2940.

In the event of any difficulty which does not place in condition for allowance, it is respectfully requested that the Examiner call applicant's attorney at 212-594-6900 to discuss any further amendment that might be required to place the case in condition for allowance.

Dated: New York, NY
June 27, 2000

Respectfully Submitted,

AUSLANDER & THOMAS


M. Arthur Auslander, 18,376
Attorney for Applicant
505 Eighth Avenue
New York, NY 10018
212-594-6900

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Suk-song Oh
Serial No. : 09/204,073
Filed : April 19, 1999
For : Endodontic Gutta-Percha Point
With Working Length Marks

Examiner John J. Wilson
Art Unit 3732
Docket No. 3598-6

Assistant Commissioner for Patents

Washington, D.C. 20231

Sir:

REQUEST FOR AN EXTENSION UNDER RULE 1.136

Applicant, by his attorney, pursuant to Rule 136 of the Rules of Practice in Patent Cases, hereby requests an extension of one month with respect to the Office action dated March 13, 2000, which required response within three months.

The within extension is being made within the first month for response. The extension fee of \$55.00, or any differential thereof, should be taken from applicant's attorneys' deposit account No. 01-2940.

T.G.
11/27/00
HJL/ESP
Hue
Haus

An extra copy of this request is enclosed.

Dated: New York, NY
June 27, 2000

Respectfully Submitted,
AUSLANDER & THOMAS



M. Arthur Auslander, 18,376
Attorney for Applicant
505 Eighth Avenue
New York, NY 10018
(212) 594-6900

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Suk-song Oh
Serial No. : 09/204,073
Filed : April 19, 1999
For : Endodontic Gutta-Percha Point
With Working Length Marks

CERTIFICATE OF MAILING

I hereby certify that the amendment and request for an extension under Rule 1.136 are being deposited with the United States Patent and Trademark Office, deposited as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231 on the 27th day of June , 2000.

AUSLANDER & THOMAS

By _____

Raysa Okter

Dated: June 27 , 2000